

INFORMATIONAL HANDOUT
DEVELOPER/OWNER INITIATED LATECOMER AGREEMENTS

City of Renton Latecomer Ordinance No. 4443, Sections I and II, (9-5-1 thru 9-5-16) allows recovery of certain costs incurred in the installation of **improvements required to be installed by City Code**, for building or developing property.

Improvements eligible for recovery costs are:

- | | |
|----------------------|------------------------|
| 1. Water Lines | 4. Street Improvements |
| 2. Waste Water Lines | 5. Signalization |
| 3. Storm Water Lines | 6. Street Lighting |

All requests for a latecomer agreement shall be initiated in the earliest stages of a project through the Plan Review Project Manager. If the Project Manager determines that a potential improvement warrants latecomer consideration, the developer/owner is given this handout with an explanation of the latecomer process.

If the beneficiary (developer/owner) proceeds to construction prior to preliminary notification or City Council approval of the latecomer agreement, following all appeals, the beneficiary does so at their own risk.

Application for a latecomer agreement must be made **30 days prior** to the issuance of the construction permit granted to install improvements in City right-of-way, that may benefit properties of others, in order to be eligible for a potential latecomer agreement.

Application shall be made by letter¹ to the Mayor and City Council requesting a latecomer agreement.

All applications for a latecomer agreement shall contain the following information:

1. Legal description of applicant's property.
2. Legal description of the benefited properties, or list of King County tax account numbers (PID#s) for benefited properties.
3. Vicinity map² of applicant's property, benefiting properties, and the location of the improvement.
4. Estimated cost data and inventory for the improvements.³
5. Set of Civil Engineering Plans for the off-site improvements under consideration for latecomer recovery.
6. Following City acceptance of the latecomer request a processing fee will be due:
 - a) \$500 if amount covered by latecomer's is \$20,000 or less.
 - b) \$1,000 if amount to be collected under the latecomer agreement is between \$20,000 to \$100,000.
 - c) \$2,000 if amount covered by latecomer is greater than \$100,000.

Sources of costs allowable for recovery:

1. Construction Costs
2. Engineering Design Cost
3. City Permit Fees
4. Washington State Sales Tax
5. Sewer Stub (line between sewer main and private property line)

Sources of costs NOT allowed for recovery:

1. Side sewers (private service line from sewer stub to house)
2. Water meters
3. Special utility connection charges (SUCC fee)
4. Special assessment district charges (SAD fee)

If the developer/owner's application does not meet the above criteria, their submittal will be returned to them for additional information.

Multiple reviews of latecomer submittals by City staff, can cost the developer/owner an inordinate amount of time at this stage of the latecomer process.

City spreads the Preliminary Assessment cost against benefiting properties and conducts Preliminary Notification Process:

Based on estimated costs submitted and as approved by Plan Review, the City prepares an in-house preliminary assessment roll, and the City Clerk notifies all property owners of their preliminary per unit cost/assessment within the proposed assessment area.

A general time frame for the preliminary notification and public hearing process is as follows:

Notice sent - appeal period begins	20 days
Appeals (if any) read to Council	7 days
Council requests Public Hearing	
Hearing date set by Hearing Examiner	42 days
Hearing Examiners decision	14 days
Parties of record may request reconsideration within 14 days of Hearing Examiners report	<u>14 days</u>
TOTAL	97 days

If staff concurs with Hearing Examiner's recommendation, we proceed to Council with staff recommendation.

If staff disagrees or takes exception to Hearing Examiner's recommendation, Latecomer referred back to Council Committee.

Notification given to appellant/developer/owner on recommended action as appropriate.

If City Council authorizes us to proceed, developer/owner required to submit the following after construction is completed:

1. Final Costs⁴
2. As-Built Plan(s)
3. Bill of Sale⁵
4. Further information from applicant if requested by the Administrator or the City Council.

City spreads the Final Assessment costs against benefiting properties and conducts Final Assessment Notification Process

Based on final construction costs submitted by developer/owner and as approved by Plan Review, the City prepares the final in-house assessment roll.

The City Clerk notifies all property owners of their final per unit cost/assessment within the latecomer assessment area.

A general time frame for the final notification and public hearing process is as follows:

Notice sent - appeal period begins	20 days
Appeals (if any) read to Council	7 days
Council requests Public Hearing	
Hearing date set by Hearing Examiner	42 days
Hearing Examiners decision	14 days
Parties of record may request reconsideration within 14 days of Hearing Examiners report	<u>14 days</u>
TOTAL	97 days

If staff concurs with Hearing Examiner's recommendation, we proceed to Council with staff recommendation.

If staff disagrees or takes exception to Hearing Examiner's recommendation, Latecomer referred back to Council Committee.

Notification given to appellant/developer/owner on recommended action as appropriate.

If City Council authorizes us to proceed:

City prepares Final latecomer agreement.⁶

Developer signs the latecomer agreement, within 60 days of the date of Council approval.

Mayor and City Clerk sign the latecomer agreement.

City Clerk records latecomer agreement with King County. The agreement will contain a map and legal description of latecomer boundary.

City Clerk mails recorded latecomer agreement reflecting final per unit cost/assessment to affected property owners and to developer/owner.

City administers latecomer agreement for period of time determined by Council and specified in agreement:

1. City collects fees on developers behalf from benefiting property owners upon connection to, or use of, improvements.

2. City deducts 15% processing fee of total reimbursable amount to be recovered by developer.

3. City transmits balance of fee to developer.

When the City has received the funds for a latecomer's fee, it will forward that fee to the holder of the latecomer's agreement within thirty (30) days of receipt of the funds.

It is the developer responsibility to keep the City informed of their current correct mailing address. If the City cannot contact the developer/owner at the address supplied to the City, then monies collected will, after two (2) years, revert to the City.

4. City records a blanket certificate of payment and release of assessment when all the properties within the latecomer area have paid or upon expiration of the latecomer agreement, whichever comes first.⁷

If you have any questions with regards to procedures under the latecomer process, please direct those questions to the Project Manager, Plan Review Section of the City of Renton Department of Planning/Building/Public Works.

Project Manager

Phone #

Copy of Current Latecomer Ordinance No. 4443

Samples of following (attached)

¹ Letter of Application

² Vicinity Map

³ Cost Data/Inventory - Preliminary

⁴ Cost Data/Inventory - Final

⁵ Bill of Sale

⁶ Boiler Plate Latecomer Agreement

⁷ Certificate of Payment and Release